Writ Petition No. 4091 (S/S) 2001

(Old No. 33130 of 1996)

Smt. Pitambari Devi- ……. Petitioner

Versus

The Commissioner Garhwal Mandal
& Others- …….. Respondents.

Hon'ble M.M. Ghildiyal J.

Heard learned Counsel for the parties.

The learned Counsel for the petitioner has stated that there are vacancies and recommendation is also in favour of the petitioner. The petitioner who was appointed as Paricharika in 1997, initially for 89 days. Her appointment was extended for time-to-time till 20th October 1996. In this connection the learned Chief Standing Counsel has stated that there is no vacancy, as such, the petitioner can't be given appointment. On the contrary, learned Counsel for the petitioner has stated that there are posts lying vacant in the Department of Basic Education.

The counter affidavit was filed on 11th Feb. 1997.

For the reasons, I direct the petitioner to make a fresh representation before District Inspector of Schools, Uttaranchal within a period of two weeks. The District Inspector of Schools will decide the same, in view of the recommendations made by the Commissioner on 3rd July 1996 and consider the case of the petitioner for appointment, in case the post/work is available. While deciding the representation, the District Inspector of Schools will keep in mind the fact that the petitioner is a victim of earthquake.

With these directions, the writ petition is disposed of finally.

(M.M.Ghildiyal J.)

June 6,2003:
NCM: